



March 25, 2009

Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: GN Docket No. 09-29, WT Docket No. 07-293

Dear Ms. Dortch:

I am writing in response to the Commission's request for comments on how the Commission and the Department of Agriculture should implement Section 6112 of the 2008 Farm Bill to develop a comprehensive rural broadband strategy. In that regard, I urge the Commission to conclude the rulemaking to establish final technical rules governing Wireless Communications Service ("WCS") and the Satellite Digital Audio Service ("SDARS") and thereby enable deployment of wireless broadband services to rural communities using the 2.3 GHz WCS band.¹ The Commission should also move quickly to grant pending petitions for reinstatement of Educational Broadband Service ("EBS") licenses where there is a benefit to rural communities, and it should create a mechanism whereby 3.65 GHz licensees in rural areas (where there will likely be fewer operators) that are outside of the FSS protection zones can operate at higher power.

Main Street Broadband ("MSB") is a company created to deploy Broadband Wireless Access ("BWA") systems in rural markets. Through our wholly-owned subsidiary, Broadband South LLC ("BBS"), MSB is a borrower under the current United States Department of Agriculture Rural Utilities Service (RUS) rural broadband access loan program. The RUS makes funds available to support the United States government's policy objective of encouraging deployment of broadband systems in rural communities, with the ultimate objective of universal broadband access. MSB believes that broadband availability is an essential service that is key to productivity and economic development in rural communities, in addition to improvements in education, public safety, health care, and other public services. Further, MSB believes that rural communities are grossly underserved with respect to affordable broadband access, effectively denying this essential service to millions of Americans.

It is abundantly clear that BWA networks are the most effective and efficient means of addressing the void that exists in rural communities, given the enormous per-household cost of deploying fiber, cable and DSL solutions to areas with very low household density. The performance of BWA networks is greatly enhanced by the utilization of licensed spectrum. Therefore, in order to address the public interest of universal broadband access, the Commission should make every effort to insure the greatest availability of appropriate spectrum assets, and the means to most efficiently utilize such assets.

Toward that end, MSB and BBS urge the Commission to resolve the WCS-SDARS rulemaking and enable immediate use of the 2.3 GHz WCS frequencies for wireless broadband deployments. MSB and BBS are eager to expand our service offerings and utilize WCS spectrum, which is particularly suited for mobile broadband services. MSB and BBS believe that the WCS spectrum is critical to the continued, timely deployment of broadband service in America. Unlike other spectrum bands, the 2.3 GHz WCS band is otherwise unencumbered for wireless broadband deployments today. Additionally, there are a number of existing and planned deployments around the world that will make WCS spectrum an important international band and will facilitate roaming and increased economies of scale. Technical rules that are harmonized with international use will ensure the availability of competitive wireless broadband products in the United States with economies of scale for rural WCS deployments.

For these reasons, MSB and BBS respectfully request that the Commission conclude the WCS-SDARS rulemaking as quickly as possible so that we and other wireless broadband service providers may realize the full value of the WCS spectrum and meet the rural broadband challenge.

We also urge the Commission to expedite the resolution of pending EBS reinstatement petitions. Many of these are for licenses that cover rural areas that are often un-served or under-served by alternative broadband technologies. These petitions should be approved where petitioners have demonstrated they have access to capital and a credible build-out plan. Finally, we recommend that the Commission raise the power limits for 3.65 GHz operations in rural areas, which would allow service providers to reach more customers using less infrastructure, thereby making broadband service more affordable for rural consumers.

Sincerely,

Main Street Broadband LLC



Michael F. Mies
Chief Executive Officer